

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ELASTICSEARCH, INC., et al.,

Plaintiffs,

v.

FLORAGUNN GMBH,

Defendant.

Case No. [19-cv-05553-YGR](#) (AGT)

**DISCOVERY ORDER**

Re: Dkt. Nos. 127, 129

This order memorializes the rulings made on the record at today's discovery hearing regarding Elastic's requests for discovery from floragunn relating to the unavailability and recent termination of floragunn's Chief Technology Officer, Hendrik Saly.

1. floragunn (including its co-CEOs, Jochen Kressin and Claudia Kressin) must produce "[a]ll communications (including text messages) with Mr. Saly or Mr. Saly's wife during the period of Mr. Saly's alleged unavailability from March 1, 2020 through the present." To the extent floragunn objects to the production of any responsive document(s) on the basis of German law, it must specifically state the basis for its objection(s) for each document withheld. floragunn shall comply with this paragraph by September 8, 2021.

2. floragunn must also produce "[d]ocuments sufficient to show the date, time, and length of all telephone conversations between Mr. and/or Ms. Kressin with Mr. Saly and/or Mr. Saly's wife during the period of Mr. Saly's alleged unavailability from March 1, 2020 through the present," if such documents exist. If floragunn has nothing responsive, it must say so. floragunn shall comply with this paragraph by September 8, 2021.

3. floragunn need not produce its documents and communications concerning go-ffwd GmbH; Elastic has not convinced the Court that this information is pertinent to the ultimate inquiry regarding sanctions.

2